

# **New York State Comprehensive Emergency Management Plan**

## **Emergency Support Function #11**

### **Emerging Infectious Diseases in Non-Human Populations Appendix**



**Prepared by the New York State Disaster  
Preparedness Commission**

**March 2023**

### **List of Plan Revisions**

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**State Comprehensive Emergency Management Plan**  
**Emergency Support Function (ESF) #11**  
**Appendix for Emerging Infectious Diseases in Non-Human Populations**

**Section I: General Consideration and Guidelines**

**A. Introduction**

The agriculture industry in New York is a major contributor to the economy of New York State, the nation, and to the world. An outbreak of a disease that impacts the agricultural community could result in the disruption of social, public health, animal health, animal welfare, and economic systems of unprecedented national scale, if it were not readily and effectively controlled.

Effective eradication may require extraordinary resources and cooperation of all local, State, and Federal agencies in order to minimize the impact on the agriculture industry and commerce.

This Appendix outlines New York State's strategy for responding to emerging infectious diseases in non-human populations (EIDNHP).

**B. Purpose**

The Emergency Support Function (ESF) #11 Annex to the State Comprehensive Emergency Management Plan (CEMP) provides general guidance for the coordination of resources to provide protection to human and animal populations from animal disease outbreaks, natural disasters, and other emergencies.

The purpose of this Appendix is to ensure that the State has a plan to respond to an actual or threatened outbreak of disease in non-human populations. This Appendix will serve as a hazard-specific supplement to the ESF #11 Annex and identifies the arrangements to protect lives and the agricultural community by providing an efficient, coordinated response to such emergencies.

**C. Scope**

This Appendix applies to diseases that may impact non-human populations, specifically the agricultural community, or portions thereof, where local and State capabilities may be exceeded, necessitating the use of Federal agencies and resources. In addition, this Appendix recognizes the potential for an animal-borne disease to impact public health. Further, this Appendix applies to all State agencies and authorities that may be directed to respond to such an event and builds upon the process and structure of the Animal Protection Functional Annex and the State CEMP by addressing unique policies, situations, operating concepts, and responsibilities. This appendix does not apply to the sheltering of animals during a disaster, which is addressed in Appendix #2 to ESF #11 - Temporary Emergency Animal Sheltering or TEAS.

## **D. Situation**

People, animals, or materials that bring pathogens into contact with a susceptible host can spread disease. An outbreak may occur if the pathogen is not quickly and effectively controlled, or when further prevention measures are not addressed.

A disease impacting the agricultural community may result in grave social, economic, public health, animal health, and animal welfare consequences. The impact would directly affect farmers and could affect the consumer. Such diseases may require extraordinary measures to effectively respond to, and could result in quarantine, and/or depopulation of animals. An example of an infectious disease happened in 2001 an outbreak of foot-and-mouth disease in the United Kingdom. Over 6 million cows and sheep were culled in an attempt to halt the disease.

## **E. Assumptions**

1. If a disease that impacts agriculture is recognized anywhere in the United States, the entire agricultural community in the country may be at risk. Positive detection of such a disease elsewhere will prompt the State to employ additional preparedness measures to prevent or mitigate the possibility of occurrence in the State.
2. There is a potential for the farming community, as well as local and State officials, to receive a threat of a disease as an act of terrorism.
3. The disclosure of an exotic or emerging disease in the State may have a significant impact on international trade in animals and animal products.
4. Numerous local, State, and Federal agencies will play a role in eradicating the disease.
5. Response efforts could encompass culling of livestock and non-domesticated populations, such as wildlife, that are potentially infected.
6. Comprehensive control may also include the discarding of any organic matter that has, in any form, been located at the site of positive detection.
7. Eradication will require proper sanitary and disposal procedures for carcasses.
8. Vector control may involve the reduction or elimination of vertebrate or invertebrate populations involved in the dissemination of the agent.
9. Suspected infected locations and transport vehicles may need to be cleaned and disinfected.
10. Preparations may be made to establish quarantine zones around the location of suspect or confirmed cases and may require special operational procedures both within the designated area and Statewide. The extent of the quarantine zone will depend on epidemiological parameters defining zones of risk.
11. Outbreaks of foreign disease agents will involve an immediate Federal response.

12. It is likely that response procedures will extend across State lines and may require a coordinated national and international response.

## **F. Concept of Operations**

1. Initial notification of an emerging disease or its potential may come from the local farm communities themselves, the local Cooperative Extension, or from a veterinary professional.
2. The initial notification will be relayed to the State Department of Agriculture and Markets through existing lines of communication. Depending on the nature of the suspected disease, the State Department of Agriculture and Markets (DAM) may relay this information to the State Office of Emergency Management (State OEM).
3. Upon receipt of a request, State OEM may initiate a Multi-Agency Coordination (MAC) Group meeting or conference call to consider the demographics and implications of the potential event. Consideration will be given to activate a multi-agency situation unit to explore the anticipated response issues and consequences specific to the disease.
4. Sampling and tested lab results will be accepted from the National Veterinary Service Lab (NVSL) and the Cornell Animal Health Diagnostic Center, or any other USDA Accredited lab.
5. Certain circumstances may require the assistance of other Disaster Preparedness Commission (DPC) Agencies in expediting the transport and testing of samples at the appropriate laboratory. The MAC Group will serve as the coordinative body to facilitate the transport of samples as needed. In addition, State OEM Regional Staff may be deployed to the location where the specimen is being taken from to facilitate communications and coordination with veterinary professionals and the appropriate state/local agencies.
6. Depending on the nature of the suspected disease, specimens may be sent to the Foreign Animal Disease Diagnostic Laboratory (Plum Island, NY), New York State Veterinary Diagnostic Laboratory at Cornell University, the New York State Institute for Basic Research (NYIBR), the National Geologic Services Laboratory in Wisconsin, and the National Veterinary Services Laboratory in Ames, Iowa. Various Centers for Disease Control (CDC) public health laboratories may also provide testing and diagnostic support. Times for preliminary and confirmatory testing will vary according to the disease.
7. When a positive test is confirmed, laboratory officials and/or veterinary professionals shall immediately notify the NYS DAM, and the United States Department of Agriculture (USDA).
8. NYS DAM will notify State OEM if they receive notification directly from farms or laboratories. State OEM in turn will notify the MAC and other appropriate DPC agencies, the county emergency manager, and others as deemed necessary.

9. State OEM will coordinate response activities in support of the State Department of Agriculture and Markets and will be cognizant of response operations at the local level.
10. State OEM will coordinate with the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA), USDA, and other Federal agencies as needed, and may utilize local/regional Emergency Operation Centers (EOCs) to facilitate response activities.
11. The Governor could exercise the authority to declare a State Disaster Emergency. Upon the declaration of a State Disaster Emergency, the Governor may direct any and all agencies of State government to provide assistance under the coordination of the DPC.

## **G. Legal Authorities**

- **New York State**

NYS Executive Law Article 2-B

Legal authority for eradicating disease, such as emerging infectious diseases in non-human populations, is compiled in New York Agriculture and Markets Law (AML) § 16(1), (Article 2), Article 3 and Article 5, and the New York State Environmental Conservation Law § 11-0325.

Listed below are several citations that identify the authority and duties of the Commissioner and Agriculture and Markets relative to the control, suppression and eradication of infectious or communicable animal diseases, Including Foot and Mouth Disease. The content of the laws applicable to this plan can be found at the following link: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:>

- Article 2 – Department of Agriculture and Markets; Jurisdiction; General Powers and Duties:
  - §16.1, 16.20, 16.41(a), 16.50.
  - §17(b). Delegation of powers
- Article 5 – Diseases of Domestic Animals; Calves and Veal; Pure Bred Stock; Certificates Registry
  - §72.1 – 72.4: Control and suppression of disease.
  - §75: Sanitary regulations
  - §76.1, 76.2, 76.3: Quarantine on Animals or Premises
  - §77: Examination by veterinarian prerequisite to destruction of animal
  - §78.1 & 78.2: Examination of domestic animals
  - §79.1-79.6: Examination at request of owner; segregation; grading of herds
  - §80: Certificate to healthy herds
  - §81: Sale, removal or slaughter of animals affected with tuberculosis
  - §82: Appraisers
  - §83: Appraisal of diseased animals
  - §85: Destruction of animals; disposition of carcasses

- §86: Post-mortem examination of animals
- §87: Payments for animals killed
- §88.1- 88.7: Indemnity
- §96-c (1-6): Examination of horses for equine infectious anemia

Listed below is the content of NYS Environmental Conservation Law 11-0325 as it pertains to this plan and control of animal disease. This law can be referenced at the following link: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>:

### **New York State Environmental Conservation Law 11-0325**

§ 11-0325. Control of dangerous diseases.

Whenever it is jointly determined by the Department of Environmental Conservation and the Department of Health or the Department of Agriculture and Markets, and certification is made to the Commissioner of Environmental Conservation by the Commissioner of Health or the Commissioner of Agriculture and Markets, that a disease, which endangers the health and welfare of fish or wildlife populations, or of domestic livestock or of the human population, exists in any area of the State, or is in imminent danger of being introduced into the State, the department shall adopt any measures or regulations with respect to the taking, transportation, sale, offering for sale or possession of native fish or feral animals it may deem necessary in the public interest to prevent the introduction or spread of such disease. The department may undertake such fish or wildlife control measures it may deem necessary to eliminate, reduce or confine the disease.

Whenever it is determined by the Department of Environmental Conservation that an epizootic disease which endangers the health and welfare of native fish or feral animal populations only, exists in any area of the State, or is in imminent danger of developing or being introduced into the State, the department may adopt any measures or regulations with respect to the taking, transportation, sale, offering for sale or possession of native fish or feral animals deemed necessary in the public interest to prevent the development, spread or introduction of such disease.

Listed below is the content of the Authorities provided to the United States Department of Agriculture as it pertains to this plan.

- **Federal Government**

Legal authority for the United States Dept. of Agriculture for response procedures identified in this annex may be found in 21 U.S.C. § 134a.

**Title 21 US Code as of: 02/25/22**

#### **Sec. 134a. Seizure, quarantine, and disposal of livestock or poultry to guard against introduction or dissemination of communicable disease**

(a) Authority of Secretary

The Secretary, whenever he deems it necessary in order to guard against the



introduction or dissemination of a communicable disease of livestock or poultry, may seize, quarantine, and dispose of, in a reasonable manner taking into consideration the nature of the disease and the necessity of such action to protect the livestock or poultry of the United States:

(1) any animals which he finds are moving or are being handled or have moved or have been handled in interstate or foreign commerce contrary to any law or regulation administered by him for the prevention of the introduction or dissemination of any communicable disease of livestock or poultry;

(2) any animals which he finds are moving into the United States, or interstate, and are affected with or have been exposed to any communicable disease dangerous to livestock or poultry; and (3) any animals which he finds have moved into the United States, or interstate, and at the time of such movement were so affected or exposed.

(b) Determination of extraordinary emergency due to dangerous communicable disease; seizure, quarantine, and disposal of animals; action authorized only if adequate measures not taken by State or other jurisdiction; notice to State or other jurisdiction Whereas the existence of any dangerous, communicable disease of livestock or poultry, such as foot-and-mouth disease, rinderpest, or European fowl pest, on any premises in the United States would constitute a threat to livestock and poultry of the Nation and would seriously burden interstate and foreign commerce, whenever the Secretary determines that an extraordinary emergency exists because of the outbreak of such a disease anywhere in the United States, and that such outbreak threatens the livestock or poultry of the United States, he may seize, quarantine, and dispose of, in such manner as he deems necessary or appropriate, any animals in the United States which he finds are or have been affected with or exposed to any such disease and the carcasses of any such animals and any products and articles which he finds were so related to such animals as to be likely to be a means of disseminating any such disease: Provided, That action shall be taken under this subsection only if the Secretary finds that adequate measures are not being taken by the State or other jurisdiction. The Secretary shall notify the appropriate official of the State or other jurisdiction before any action is taken in any such state or other jurisdiction pursuant to this subsection.

(c) Notice to owner to quarantine or to dispose of animal, carcass, product, or article; action on failure to comply; costs The Secretary in writing may order the owner of any animal, carcass, product, or article referred to in subsection (a) or (b) of this section, or the agent of such owner, to maintain in quarantine, and to dispose of such animal, carcass, product, or article in such manner as the Secretary may direct pursuant to authority vested in him by such subsections. If such owner or agent fails to do so after receipt of such notice, the Secretary may take action as authorized by said subsections (a) and (b) and recover from such owner or agent the reasonable costs of any care, handling, and disposal incurred by the Secretary in connection therewith. Such costs shall not constitute a lien against the animals, carcasses, products, or articles involved. Costs collected under this section shall be credited to the current appropriation for carrying out animal disease control activities of the Department.

(d) Compensation of owner; fair market value; payments from State or other source; availability of funds Except as provided in subsection (e) of this section, the Secretary shall compensate the owner of any animal, carcass, product, or article destroyed pursuant to the provisions of this section. Such compensation shall be based upon the fair market value as determined by the Secretary, of any such animal, carcass, product, or article at the time of the destruction thereof. Compensation paid any owner under this subsection shall not exceed the difference between any compensation received by such owner from a state or other source and such fair market value of the animal, carcass, product, or article. Funds in the Treasury available for carrying out animal disease control activities of the Department of Agriculture shall be used for carrying out this subsection.

(e) Restriction on payment of compensation in cases of violation of law or regulation No such payment shall be made by the Secretary for any animal, carcass, product, or article which has been moved or handled by the owner thereof or his agent knowingly in violation of a law or regulation administered by the Secretary for the prevention of the interstate dissemination of the communicable disease, for which the animal, carcass, product, or article was destroyed or a law or regulation for the enforcement of which the Secretary enters or has entered into a cooperative agreement for the control and eradication of such disease, or for any animal which has moved into the United States contrary to such law or regulation administered by the Secretary for the prevention of the introduction of a communicable disease of livestock or poultry.

- **MOUs**

Plant Industry – MOU –NYS DEC and NYS AGM MOU (AM06136) This memorandum provides a formal structure for both agencies' collaborative effort to combat the spread of invasive pest species.

Plant Industry MOU - APHIS Plant Protection and Quarantine (APHIS-PPQ): This memorandum is to provide effective cooperation between the Parties to protect the Nations' agriculture, horticulture, timber, plant and other resources from damage caused by plant pests or noxious weeds.

## **H. Appendix Maintenance, Distribution, and Revision Process**

The NYS OEM Planning Section has the responsibility for the development, review, and maintenance of all multi-agency response plans under the New York State CEMP. As required under New York State Executive Law Article 2-B, each ESF appendix shall undergo an annual review and update on or before February 15<sup>th</sup> of each year and be posted online (if applicable) no later than March 31<sup>st</sup> of each year.

During the annual review by the Planning Section for its material, this plan is examined for both content and format. For updates that do not impact operational mechanisms or processes, the appropriate edits are initiated within the Planning Section and do not warrant external involvement. Plan updates will also be conducted based upon experiences and lessons learned from exercises or real-world events, or through administrative changes in government. Planning Section updates and/or edits affecting operational capabilities, responsibilities, or otherwise impacting operations will engage stakeholders in a variety of ways, such as verbally, by document review, meetings, webinars, or any combination thereof. Final drafts will be socialized to all appropriate agencies/personnel upon completion.

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**Section II: Preparedness**

**A. Mitigation Overview**

**1. Planning and Risk Assessment**

To some extent, risk reduction measures are taken on an on-going, routine basis. However, national and worldwide events have resulted in the establishment of additional preparedness measures.

- Producers are implementing on-farm biosecurity measures, and in many cases, are restricting access to their premises and animal populations.
- DAM is conducting a public information campaign to advise the public and the agricultural community of protective actions that can be taken to limit the possibility of spreading a disease both here and abroad. Additional DPC agencies may be called on to support this activity.
- Domestic Animal Health Permits for livestock dealers and Interstate Certificates of Veterinary Inspection ensure that most livestock movements can be rapidly traced.
- Premises and animal identification systems assist in monitoring livestock movements and the definition of at-risk populations.

**2. Surveillance**

- DAM has a program to encourage farmers to adopt a biosecurity plan to limit the possibility of introducing a disease to their farm. This preventive approach includes disease testing and surveillance and is becoming commonplace among farmers.
- DAM and USDA have programs to routinely inspect animals assembled at live poultry markets, other livestock markets, county fairs and the New York State Fair.

**3. Testing, Training and Exercise**

- A series of captive bolt training was held in 2019 on animal depopulation. The overall function of this training is the knowledge in depopulation of animals, and experience in depopulating companion, livestock, wildlife, and laboratory animals.

- A full-scale functional exercise was conducted in June 2019 with DAM, Department of Environmental Conservation (DEC), USDA, Cornell Waste Management, and Cornell Animal Health Diagnostic Laboratory (AHDL) to depopulate, dispose, and decontaminate an infected pheasant flock.
- DAM hosted a foot and mouth disease movement and quarantine workshop at the New York State Fairgrounds in 2021.

#### **4. Planning**

- DAM will assist managers of fairgrounds, livestock markets, and other animal assembly points in developing biosecurity plans to prevent the introduction and spread of diseases in their facilities.
- Public-private partnerships may be utilized to ensure rapid and effective response to outbreaks in population dense or agriculturally rich areas of the State.

**State Comprehensive Emergency Management Plan**  
**Emergency Support Function (ESF) #11**  
**Appendix for Emerging Infectious Diseases in Non-Human Populations**

**Section III: Response**

**A. Alert, Notification, and Plan Activation**

The State Emergency Operations Center (State EOC) maintains a readiness posture, while conducting normal day-to-day operations, and conducts surveillance and monitoring of any potential emergency.

**1. Emergency Response Levels**

Activation of the State EOC will be as follows:

Level 4 Enhanced Monitoring: A small, isolated or potential event that has some indicators that warrant extra attention, enhanced monitoring, or external communication.

- State OEM staff only.
- Agencies may be asked to support operations or reporting from their home agency.

Level 3 Partial Activation: An incident or event requiring a partial activation of State EOC with limited ESF activation.

- DAM is activated by the State OEM as required.
  - When ESF #11 is activated, DAM will staff the EOC and assume the role of the ESF #11 Coordinating agency.
  - The State OEM may solicit input from DAM to determine which Member Agencies will be activated based upon the needs of the operation.
  - DAM and State OEM may jointly identify additional agencies at the time of the activation.
  - Not all member agencies may be required.
- Incident Reporting
  - DAM will provide their activities specific to this ESF under the ESF #11 report.
  - Any additional Member Agencies will also provide their activities specific to this ESF under the ESF #11 report.
- Resource Management
  - If solely activated, DAM will provide the needed capability as appropriate.
  - Any Member Agencies activated will coordinate their capability through the DAM.

Level 2 Full Activation: An incident requiring full State EOC activation with ESF activation.

- DAM is activated and will assume ESF #11 Coordinating Agency role.
- Incident Reporting
  - The State OEM may solicit input from the Coordinating Agency to determine which Member Agencies will be activated based upon the needs of the operation.

- DAM will provide their activities specific to this ESF under the ESF #11 report.
- All Member Agencies will provide their activities specific to this ESF under the ESF #11 report.
- Resource Management
  - DAM will provide the needed capabilities.
  - Member Agencies will coordinate their capability through the DAM.

Level 1 Full State/Federal Response: An incident requiring full State EOC activation with ESF activation, as well as Federal ESF integration and coordination.

- DAM is activated and will assume ESF #11 Coordinating Agency role.
  - The State OEM may solicit input from DAM to determine which Member Agencies will be activated based upon the needs of the operation.
  - DAM will integrate into Federal ESF #11.
  - DAM will coordinate ESF #11 briefings and interface with the ESF# 11 Federal Coordinating Agency.
  - DAM will attend command and general staff meetings and coordinate with Federal ESF #11 lead.
- Incident Reporting
  - DAM will provide their activities specific to this ESF under the ESF #11 report.
  - All Member Agencies will provide their activities specific to this ESF under the ESF #11 report.
- Resource Management
  - DAM will provide their activities specific to this ESF under the ESF #11 report.
  - All Member Agencies will provide their activities specific to this ESF under the ESF #11 report.

Additional agencies that may be activated during a level 1 include:

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| ● Cornell Cooperative Extension   | ● Farm Services Agency              |
| ● DHS/FEMA                        | ● New York State Humane Association |
| ● Department of Labor (DOL)       | ● State Animal Response Team        |
| ● NYS Farm Bureau                 |                                     |
| ● Tribal Relations Representative |                                     |

At this level, the following actions may be taken:

- The restriction zones and compartments are legally and clearly defined.
- Movement into, from, and within the zones in the control area may be restricted.
- Infected livestock are evaluated, destroyed, and disposed of by Task Force members.
- Infected places and animal transports are cleaned and disinfected.
- Information on health-related matters, movement controls, and eradication is provided to the public, industry, and local government.
- The origin of the disease is traced, and potential spread monitored and controlled.

## **B. Response Agency Roles/Responsibilities**

This Appendix endorses the development of one response organizational structure that will include all responding agencies. State agencies will be organized under the framework of the National Incident Management System (NIMS) Incident Command System as required by Executive Order 26.1 of 1996 and Homeland Security Presidential Directive (HSPD)-5. A MAC Group may be established to define response policy, and will be the oversight for the incident priorities, goals, and objectives of the State response.

Based on incident specifics, the State may utilize and deploy the State's IMT to the area of impact. The IMT will serve to support on-scene and State EOC interagency coordination between responding disciplines, local governments, the MAC, the State Veterinarian, and the Principal Federal Official (PFO).

### **1. ICS Command and General Staff**

- **State Commissioner of Agriculture and Markets**  
The DAM shall be the Lead State agency for emerging infectious diseases in non-human populations. As such, the State Veterinarian or designee will act in support of the command element.
- **State Coordinating Officer (SCO)**  
The State Coordinating Officer (SCO) will be the Director of State OEM and will have overall responsibility for coordination of State resources and Federal assistance in support of the State and local response to the incident.
- **Joint Information Center (JIC)/Public Information**  
The Joint Information Center (JIC) will serve as the sole source of official information regarding all incident activities (local, State, federal). The JIC will provide a forum for the coordinated release of all information. The DAM will serve as the lead spokesperson. JIC operations will be coordinated as stated in the Public Information Annex to the State CEMP.
- **Safety**  
A Safety Officer will be appointed to assess hazardous and unsafe conditions relative to eradication procedures and develop measures for assuring personnel safety. The Safety Officer will coordinate with the DAM/State Department of Health personnel to assess exposure risks to State response personnel.
- **Liaison**  
A Liaison Officer may be appointed to serve as a point of contact for agency representatives assisting with quarantine, eradication, and decontamination of facilities and equipment.
- **Legal**  
A Legal Officer, supported by appropriate State agency legal staff, will advise the Commissioner of Agriculture and Market, and the SCO relative to legal questions and issues involving response operations.



## **2. Operations**

State response activities will be directed from the State EOC. State Operations may be organized using geographical divisions and utilize State OEM Regional Offices or State Regional Operations Center (ROCs) as coordinating locations. The State EOC will support field operations through the Incident Command System, as appropriate.

## **3. Planning**

The State EOC Planning Section will be appropriately staffed to collect, evaluate, and disseminate information regarding the incident. The State EOC Planning Section will assist with the following:

- Prepare the Incident Action Plan.
- Identify and track resources.
- Determine the status of eradication efforts, and the effectiveness of the operation.
- Identify all incident related sites, including eradication sites, cleaning and disinfecting stations, and isolation zones.
- Prepare the situation report for the Governor's Office.
- Utilize technical specialists, including weather, to determine the impact on response operations.
- Coordinate with State and federal agencies in developing Geographic Information System (GIS) data to support the incident response.
- A Demobilization Unit may be established within the State EOC Planning Section to coordinate the release of incident resources to their home base or next assignment. Demobilization will be based on incident priorities, objectives, and the tactical needs of the incident. The Demobilization Unit is responsible for the preparation of the demobilization plan and assisting sections/units in ensuring that an orderly, safe, and cost-effective movement of personnel and equipment is accomplished. The Demobilization Unit will coordinate activities with the Command Staff and Section Coordinators. The approved and implemented demobilization plan will be distributed to on-site and State EOC staff.

## **4. Logistics and Finance**

The Logistics and Finance Sections will assist with the following:

- State agency communications resources will be deployed to support response efforts.
- State assets will support, as required, transportation operations.
- Disaster mental health support will be made available for incident personnel. The State Office of Mental Health will assist in the coordination of mental health counseling if capabilities are exceeded. Follow-up physical and mental health issues will be addressed, as necessary.
- Coordinate logistical facilities; identify any regular or specialized equipment and supplies in support of the operation.
- Coordinate the authorization of emergency purchases.
- Establish contracts and agreements with supply vendors.
- Coordinate with compensation/claims unit for processing claims.
- Coordinate with the USDA to determine compensation to owners of destroyed animals.

## **C. Assignment of Responsibilities**

This section reviews identifies agency roles, responsibilities, and capabilities during an EIDNHP event.

### **1. Local Government**

Local emergency management officials will be actively involved in the response and should be utilized where capable. Each county, and many local governments, has a CEMP which provides the framework for the jurisdiction's response to emergencies and disasters. Further, some counties have developed a hazard-specific annex to their CEMP that addresses planning and response issues for Emerging Infectious Diseases in Non-Human Populations. County and local governments may utilize their resources, including County Emergency Boards, and provide an additional line of communication with local farmers, and the local Cooperative Extension.

### **2. Tribal Relations**

A representative from Tribal Relations may assist in the coordination of response activities in areas that may potentially impact Tribal lands.

### **3. State Emergency Support Functions and Federal Integration**

The State response includes many components and capabilities, both State EOC-based and field level. Under the State CEMP, the State possesses 14 ESFs that provide the utility for a host of capabilities, and full integration with each of the Federal ESFs. State ESF #11 missions and capability-based assignments are as follows.

#### **Disaster Preparedness Commission (DPC)**

The DPC is comprised of multiple State agencies, the American Red Cross, and local representatives. Following a declaration of a State Disaster Emergency, State OEM will coordinate with the DPC for assistance including:

- Utilizing, lending, or giving to political subdivisions, with or without compensation, equipment, supplies, facilities, services of State personnel, and other resources, other than the extension of credit;
- Distributing of medicine, medical supplies, food, and other consumable supplies through any public or private agency authorized to distribute the same;
- Performance of temporary emergency work on public or private lands that is essential for the protection of public health and safety, clearing debris and wreckage, making emergency repairs to and temporary replacements of public facilities of political subdivisions damaged or destroyed as a result of such disaster; and
- Preparation of State agency facilities, equipment, supplies and personnel as may be necessary to assist in coping with the resulting disaster or emergency.

## **State Office of Emergency Management (State OEM)**

State OEM activates and operates the State EOC, provides liaisons to affected jurisdictions, prepares situation reports for the Governor and receives and acts on requests for assistance from county emergency managers. State OEM coordinates State response activities with local governments, coordinates with the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) via the National Response Framework (NRF) and may assist in the coordination of disaster-related public information.

## **ESF #11 Agencies**

### **Department of Agriculture and Markets (DAM)**

The DAM may assist with the following:

- Quarantining, eradicating, and promulgating emergency regulations.
- Distribution of scientific, procedural, and diagnostic information to veterinarians practicing in the State.
- Providing diagnostic and laboratory support.
- Providing information on local agricultural conditions, producers, and resources.
- Defining the size and boundaries of restricted zones or compartments to limit the dissemination of the disease.
- Coordinating efforts of local veterinarians as well as any veterinary medical assistance teams.

### **Department of Health (DOH)**

NYS DOH may assist with the following:

- Providing advice regarding public health aspects of eradication operations.
- Providing public health technical assistance to DEC in approving disposal sites within local jurisdictions.
- Provides guidance/education, support in, and coordination with local or Federal partners regarding food related safety concerns or outbreaks, including laboratory testing services and epidemiological activities such as surveillance, case investigation, and contact tracing.
- Ensuring that special medications, if required, are available to the local medical facilities.

### **Department of Labor (DOL)**

The DOL may assist with the following:

- Monitoring eradication operations, to ensure that the health and safety of workers are being protected.
- Providing information on safe practices for handling toxic substances.
- Ensuring that the public is advised regarding potential health effects of the outbreak.

### **Department of Environmental Conservation (DEC)**

The DEC may assist with the following:

- Providing technical advice on disposal impact on ground water and air, vector control, and locations of cleaning and disinfecting stations.
- Providing emergency access to appropriate landfills and other disposal sites to avoid dissemination of the agent and expansion of the outbreak.
- Providing technical advice to disposal teams regarding regulations on environmental impact.
- Providing the resources to assist in the diagnosis of an animal disease.
- Conducting surveillance within susceptible wild animal populations as required.
- Reducing infected or potentially exposed wildlife populations as required.
- Assisting with communications and public information by utilizing the DEC Website, publications, video, and radio public service announcements (PSA's), as requested.
- Establishing prohibitions on game, bird, and fish products in controlled areas.
- Assisting in providing temporary accommodation and emergency feeding for field operation teams.
- Conducting security patrols of forestry areas.
- Identify/approve regulated disposal and treatment activities.

### **Division of State Police (DSP)**

The DSP may assist with the following:

- Providing security, law enforcement, and traffic control, as required.
- Supporting response operations and controlling access and movement.
- Supporting eradication activities under the supervision of the New York State Department of Agriculture and Markets.
- Assisting local police services, if required.
- Support rapid and secure transport of specimens.
- Serve as the primary State agency for any criminal investigation into an intentionally caused food tampering/or disease outbreak.

### **Division of Military and Naval Affairs (DMNA)**

The DMNA may assist with the following:

- Providing traffic control and controlling access and movement.
- Supporting response operations with specialized, heavy equipment.
- Supporting eradication activities under the supervision of the New York State Department of Agriculture and Markets.
- Providing equipment to haul cargo or personnel.
- Providing air transportation support.

### **Office of Parks, Recreation, and Historic Preservation (OPRHP)**

The OPRHP may assist with the following:

- Aiding with vector control and may assist in identifying locations of cleaning and disinfecting stations.
- Conducting surveillance on susceptible wild animal species as required.
- Providing limited support in reducing infected wildlife populations.

- Assisting in providing temporary accommodations for field operation teams.
- Provide technical assistance in creating maps of the impacted areas.

## **ESF #1 Agencies**

### **Department of Transportation (DOT)**

The DOT may assist with the following:

- Providing guidance for re-routing of traffic in and around the affected area.
- Traffic control issues and/or needs.
- The transport of soil, carcasses, or debris.

In the event of a State disaster declaration, DOT may be able to identify potential sources of outside assistance, i.e., contractors, equipment sources, etc.

### **Thruway Authority (TA)**

The TA may assist with the following:

- Providing guidance for re-routing of traffic in and around the affected area.
- Traffic control issues and/or needs.

## **ESF #8 Agencies**

### **Office of Mental Health (OMH)**

The OMH will assist in coordinating the appropriate personnel to assist with the emerging psychological and mental health needs of all those impacted by the emergency within New York State. OMH should be included in the response at the incipient phase, rather than being engaged at a later point in the response.

## **4. Integration with Federal ESFs**

### **Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)**

The FEMA may implement the NRF, which provides a mechanism for organizing, coordinating, and mobilizing federal resources to augment State and local resources.

Under the NRF, FEMA may employ ESF 11 (Agriculture and Natural Resources) for coordinating Agriculture and Natural Resources response and recovery activities. The lead agency for ESF #11 is the U.S. Department of Agriculture, with other agencies as support agencies based on their resources to support a functional area.

### **Department of Homeland Security (DHS)/United States Department of Agriculture (USDA)**

The USDA may assist with the following:

- Direct all eradication activities including quarantine, evaluation, slaughter, disposal, cleaning and disinfecting, epidemiology, trace-back, vector control, and transportation permit systems.
- Collect, collate, analyze, and disseminate technical and logistical information.

- Define training requirements for casual employees or support agencies involved in eradication operations.
- Issue the declaration of the disease and define the infected area and control zones.
- Prepare information for dissemination to the public, media, producers, processors, and transportation industry.
- Allocate funding for compensation to the owner of destroyed animals.
- Restrict payment of compensation in cases of violation.
- Consult with State and local authorities regarding eradication operations.
- Post restrictions on interstate commerce.

**State Comprehensive Emergency Management Plan**  
**Emergency Support Function (ESF) #11**  
**Appendix for Emerging Infectious Diseases in Non-Human Populations**

**Section IV: Recovery/Demobilization**

**A. Recovery Overview**

The response to an outbreak of a disease that impacts the agricultural community may be short-lived or could extend for some period of time. Emergency response activities may include control measures that have been rapidly employed and may result in a slow demobilization of response agencies and activities.

A variety of forces may influence the direction of the recovery process. The State will endeavor to assist local governments, businesses, and citizens in recovering from the impacts of any emergency, including an infectious disease that impacts the State's animal population. The DAM and other agencies will demonstrate, through surveillance and monitoring systems that the disease outbreak has resolved. Where possible, hazard mitigation measures will be incorporated into recovery activities in order to reduce the impact of recurrence or eliminate it entirely.

**1. Assessment of Eradication Activities**

To assess the effectiveness of response activities, sentinel animals may be placed and closely monitored at contaminated or suspected areas. These animals should have contact with all parts of the premises and objects that might have been contaminated with a pathogen. In some cases, sentinel animals may be maintained on the suspected contaminated areas for 60 days, and then collected for evidence of a disease.

The timing of sentinel placement may be governed by local disease status and would normally not commence until all identified contaminated and suspected areas have been decontaminated. The removal of a quarantine restriction and restocking of a clean premise should only be permitted after a thorough examination has deemed the area safe to inhabit.

**2. Social and Economic Effects**

The economic effects of an outbreak of a disease, even on a small scale, maybe enormous to individuals, the farming industry as a whole, and to subsidiary and support industries. Employment may be affected over a wide range of industries, from the farming and subsidiary industries, to rural townships and governments. The impact on local and State economy may have a cascading effect. The potential exists for all businesses that rely upon the agriculture industry to be severely impacted, including local businesses, distributors, processors, and any reliant business, market, or industry. All exports of susceptible animals and their products would cease for an undetermined period of time. The export of grain and other foodstuffs would also be affected by an occurrence of some diseases, such as Foot and Mouth Disease (FMD). The prices of animal products may be erratic, depending on the extent of an outbreak, and the supply and demand. The producers most affected will be those that have no alternative industry

activities other than livestock. Further, consumer confidence may fall if consumers feel that the safety of their food has been jeopardized.

- **Funding and Compensation**

Some diseases, such as FMD are included in the list of diseases for which compensation for losses may be available. Where an epidemic is spreading, the rapid approval of funds may be required to support operations and compensation.

In addition to disaster relief funding and programs that are outlined in the State CEMP, there are provisions under State and federal law for compensation to response agencies and farmers. Appraisal teams composed of Federal and State officials and industry representatives will assemble and coordinate with the USDA/APHIS Appraisal and Marketing Officers. Provisions for compensation are as follows:

1. The State Agriculture and Markets Law (AML) section 88(5) authorizes the payment of indemnity of up to \$200 per animal to owners of animals killed pursuant to Article 5 of that law.
2. The United States Code and subsequent regulations promulgated pursuant thereto authorize payment of federal indemnity as set forth in 21 U.S.C. § 114, 114a, 134a, and 9 CFR § 53.
3. A Memorandum of Understanding (MOU) with the National Animal Rescue and Sheltering Coalition (NARSC) will need to be executed for reimbursement. The NARSC can also work at the State level but will engage only with State agencies having authority over animal issues. The NARSC only deploys when officially activated by a State authority and a current MOU.

Federal statutes allow for fair market value compensation for animals and carcasses, as well as products and articles that were destroyed in an effort to effectively control or eradicate a disease. In addition, federal law also allows for compensation of milk and milk products, feedstuffs, board fences, feed racks, and contaminated buildings.

In 2002, Federal officials revisited the provisions in 9 CFR § 53 and have identified amendments to the regulations pertaining to the control and eradication of FMD and other serious diseases, including for both cooperative programs and extraordinary emergencies. The changes also include specific indemnity provisions related to FMD. The proposed changes are prompted, in part, by a review of the regulations in light of the series of outbreaks of FMD disease in the United Kingdom and elsewhere around the world. Federal officials contend that these changes are necessary to ensure the success of a control and eradication program in the event of an occurrence of foot-and mouth disease in the United States.

The State will track the indemnity and operational costs incurred for this incident as it would for any other disaster. The State can request federal reimbursement once the Secretary's Declaration of Emergency is declared or a Presidential emergency is declared. Once the Secretary's Declaration of Emergency is signed, all indemnities paid for animals or animal products are paid for by the USDA. This Declaration of



Emergency could be effective before the commencement of the State's activities. USDA will pay all operational costs incurred after the Declaration of Emergency is signed. If no emergency is declared, the USDA may enter into cooperative agreements to pay 50 percent (and in the case of some diseases, 100 percent) of the expenses of purchase, destruction, and disposition of animals and materials required to be destroyed because of being contaminated by or exposure to disease(9 CFR § 53.2).

At this time, there is no mechanism to pay recovery costs for lost business opportunity to producers or affiliated industries, such as downtime after depopulation or inability to move animals to markets, but these situations are being explored. However, liability could be incurred by governments in situations involving the "taking" of valuable private property for a public purpose.

- **Zone Designation**

Zone designation is a measure that may help reduce the adverse economic effects as a result of an endemic disease. If a disease is only established in a portion of a State, it may be possible to establish infected and disease-free zones in order to retain some economic benefit.

Disease-free zones may be identified as a 'free zone' which must be effectively sealed off from disease-affected zones by extremely tight movement and quarantine controls. In the long term, it may be possible to eradicate a disease from an impacted zone.

While zone designation could lessen the impact on the economy, it would still impose ongoing movement restrictions on livestock industries. State and local boundaries may provide the most acceptable limits to establish zones because the case can be argued that these are distinct geographical boundaries.

### **3. Risk Reduction in Recovery**

- **Tracing**

Tracing may play an important role in identifying infected and in-contact animals to determine if the disease is still present. Trace-back and trace-forward procedures that have been employed in the response may identify possible future or potential threats, but this is only possible if a premises and animal identification system has been deployed prior to the animal health emergency. Tracing may include:

- Livestock and other animals.
- Animal products: Meat, offal, milk, wool, skins, hides, semen, or embryos.
- Vehicles: Milk tankers, livestock transport vehicles, feed trucks, or visitors' cars.
- Materials: Hay, straw, crops, or grains;
- People: Veterinarians, task force members, sales and feed representatives, technicians, farmers, or visitors.

This activity may also include inspection and sampling of animals, investigation of reports of suspect disease, and a serological survey. The level and direction of surveillance will be driven by the epidemiological information being collected.

- **Surveillance**

Surveillance after an outbreak should be carefully coordinated to optimize the available resources. Many factors, such as potential spread by wind or wildlife, could warrant increased surveillance in some areas. The intervals between inspections and surveys may depend on the observed incubation period, the resources available, and the level of exposure risk. In addition, efforts must be made to educate producers about the clinical signs of a disease and to report such information to veterinary officials. Surveillance within an area will be primarily by inspection and sampling of animals. Surveillance may involve abattoir surveillance, serological surveys, and investigation of reports of suspected disease.

- **Vaccination**

In some cases, vaccination may be an effective risk reduction measure. Consideration should be given to strategic vaccination around outbreaks (ring vaccination) to help contain a disease, or a general vaccination over a wide area (blanket vaccination) where other disease control methods may be infeasible. However, vaccination is not always practical. With some diseases, such as FMD, vaccination may be considered depending on the particular circumstance of the outbreak.

- **Public Awareness**

A media campaign may be conducted to reemphasize the importance of farmers inspecting susceptible animals regularly and of reporting suspicious lesions and unusual deaths promptly. Further, information and education materials may be disseminated to sportsmen's groups to reinforce the goals of the media campaign. The importance of movement controls and what this means to individuals needs to be strongly emphasized. In addition, coordinated media releases should address issues regarding the safety of food, and attempt to reassure the general public that the food is safe to consume.

**Attachments:**

Attachment 1: Guidelines for Personal Protective Equipment

## **Attachment 1**

### ***Guidelines for Personal Protective Equipment (PPE)***

## ***Attachment 1: Personal Protective Equipment Guidelines for a Response to a Non-Human Infectious Disease Incident***

Non-human infectious disease incidents may be classified into three general categories regarding risk of disease transmission to personnel involved in the response; an incident where the identity of the disease agent is unknown, an incident where the disease agent is identified but the zoonotic potential of the agent is unknown, and an incident where the disease agent is identified and it is a known zoonotic agent. For all three situations, the following basic PPE guidelines will apply:

- In all situations **Basic PPE** should be employed:
  - **Coveralls** – preferably disposables such as Tyvek that can be left on the premise.
  - **Boots** – either disposable boot covers that can be left on the premise or rubber boots or over boots (Tingley) that can be completely disinfected before leaving the premise.
  - **Gloves** – disposable surgical-type gloves.
  - **Head Covers** – surgical type hair nets or hoods.
  - **Eye Protection** – if splashing of potentially infected material is likely, safety glasses or face shields should be used.

In addition, the following guidelines apply to the categories listed above:

### Disease Agent Unidentified

- **Basic PPE.**
- Face mask – minimum surgical type mask, N-95, or N-100 disposable mask.
- Eye Protection – safety glasses or face shield.

### Disease Agent Identified/ Zoonotic Potential Unknown

- **Basic PPE.**
- Face mask – minimum surgical type mask, N-95, or N-100 disposable mask.
- Eye Protection – safety glasses or face shield.

### Known Zoonotic Disease Agent Identified

- **Basic PPE.**
- Other equipment (face mask, eye protection) based on known mode(s) of transmission of the agent and level of risk.
- Known agents can be divided into three Risk Levels: Limited, Moderate and Serious. Table 1 shows the appropriate PPE for each Risk Level and examples of diseases that would fall into each category.

**In all cases, responders should check with either the Office of the State Veterinarian, New York Department of Agriculture and Markets, and/or the Zoonoses Program Veterinarian, New York Department of Health for specific recommendations to fit the disease, animal, and situation.**

The use of PPE must be balanced with safety considerations, particularly when working with large or dangerous animals, including freedom of movement, obstruction of vision and overheating during strenuous activity handling such animals.

Zoonotic Risk: <b>LIMITED</b>		Zoonotic Risk: <b>MODERATE</b>		Zoonotic Risk: <b>SERIOUS</b>
<ul style="list-style-type: none"> <li>▪ Respiratory protection (can range from none to N-95)</li> <li>▪ Disposable Coveralls &amp; boots</li> <li>▪ Gloves</li> <li>▪ Disinfectant</li> </ul>		<ul style="list-style-type: none"> <li>▪ Respiratory protection (N-95 to PAPR)</li> <li>▪ Disposable Coveralls &amp; boots</li> <li>▪ Gloves</li> <li>▪ Eye Protection</li> <li>▪ Disinfectant</li> <li>▪ Taped joints</li> </ul>		<ul style="list-style-type: none"> <li>▪ Respiratory protection (PAPR or SCBA)</li> <li>▪ Double gloving</li> <li>▪ Water-resistant disposable coveralls &amp; boots</li> <li>▪ Cut-resistant gloves</li> <li>▪ Taped joints</li> <li>▪ Cut resistant apron</li> <li>▪ Disinfectant</li> </ul>
<u>Examples</u> African Swine Fever Foot and Mouth Disease Pseudorabies Brucellosis BSE/CWD/Scrapie Low Path Avian Influenza Heartwater Rinderpest Exotic Newcastle Disease Classical Swine Fever Q-Fever Vesicular Stomatitis Rabies Food/Waterborne Agents Leptospira Chlamydia psittaci		<u>Examples</u> Anthrax High Path Avian Influenza West Nile Virus EEE Hantavirus Monkeypox Virus Tularemia Plague Glanders Tuberculosis Herpes B Unknown Zoonoses		<u>Examples</u> Hendra/Nipah Virus Rift Valley Fever Viral Hemorrhagic Fevers
<i>Table 1. Zoonotic Risk Levels</i>				